

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ernest J. Beffel (Reg. 43,489) on November 24, 2008.

In the Claim:

Claim 126:

Line 4, after modeling, insert -- with a computer--.

Line 5, after "memory,", insert -- in said computer--.

Allowable Subject Matter

2. Claims 1-23 and 120-126 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The closest prior art is to Landvater (US Patent No. 6,609,101). Landvater teaches a computer-implemented forecasting system for determining time-phased product sales forecasts for a retail store supply chain using product sales data generated by retail stores in the chain. Applicant's arguments filed on August 26, 2008 (pages 12-13 in particular) are deemed to be persuasive and adequately reflect the

Art Unit: 3624

Examiner's opinion as to why claims 1-23 and 120-125 are allowable over the prior art of record.

Conclusion

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Application/Control Number: 09/766,539

Page 4

Art Unit: 3624

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Romain Jeanty/
Primary Examiner
Art Unit 3624
November 22, 2008